



BILL KRAMER

STATE REPRESENTATIVE • 97TH ASSEMBLY DISTRICT

April 20, 2010

***Senate Committee on Judiciary, Corrections, Insurance, Campaign
Finance Reform, and Housing
Testimony of Representative Bill Kramer on AB 171***

Chairman Taylor, Members of the Committee:

This legislation is aimed at preventing persons who try to take advantage of the latest technology to harass and stalk their victims. Currently, it is NOT unlawful for any person to monitor your whereabouts with a global positioning device – often found as a navigation system in vehicles or units that can easily be placed into a vehicle.

In most cases, the person being tracked is unaware that their movements are being monitored and tracked. This has become a problem with the advent and popularity of portable GPS units and too many stories have come out that they were being used to stalk or harass would-be victims.

To protect potential victims of this type of harassment, our legislation would make it a felony to place a unit onto, or to download information from, any vehicle that you do not own or control.

We were cognizant of the need for law enforcement to be able to maintain the ability to use such tools as they investigate crimes and prosecute offenders. The version of the legislation that passed the Assembly Friday morning was a recognition that we ought not tie the hands of law enforcement and was a compromise in an effort to continue moving the legislation forward to the Governor's desk.

Additionally, we wanted to provide an exception for business owners – such as builders, trucking companies, plumbers, electricians – that may own fleets of vehicles. They ultimately are responsible for the whereabouts of both their employees and their equipment. In many cases employers may use GPS devices to minimize liability for accidents and reckless behavior.

Thank you for your time this morning. I am happy to answer any questions you may have.